THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.10367 OF 2006

DATED 23rd JANUARY, 2007

BETWEEN:

Pothula Manikyala Rao

… Petitioner

AND

The District Collector, West Godavari District at Eluru and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10367 OF 2006

ORDER:

The petitioner is statedly landless poor person in occupation of land admeasuring Acs.2.32 cents in survey No.200/1 situated at Betapudi village of Bheemavaram Mandal, West Godavari District. The land is owned by Sri Shakteswara Swamyvari Devasthanam, fourth respondent herein. The petitioner alleges that without following due process of law, respondents 2 and 3 are trying to dispossess him from the land. Therefore, he filed the present writ petition for appropriate relief.

Though the matter has been coming up since 25.05.2006, learned Assistant Government Pleader for Endowments did not get instructions in the matter. As the petitioner apprehends that there is a threat of dispossession at the instance of respondents, this Court is of considered opinion that the writ petition can be disposed of observing that unless and until the petitioner is given notice, he cannot be dispossessed from the land, if he is still in occupation of the land as on today.

The writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

23.01.2007.
pln